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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/880,301	06/13/2001	Satoru Maeda	450100-03286	5547

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EXAMINER

SHANNON, MICHAEL R

ART UNIT PAPER NUMBER

2614

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/880,301

Applicant(s)

MAEDA ET AL.

Examiner

Michael R. Shannon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>20050802, 20050609</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed September 1, 2005 have been fully considered but they are not persuasive.

The argument relating to claim 1 on page 12 states, "the present invention transmits the transmission signals in different frequency bands as opposed to time-division multiplexing as disclosed by Hylton. Claim 1 is not anticipated by Hylton because that reference does not disclose each and every element recited in the claim. In particular, Hylton does not disclose, 'a multicoupler to permit transmitting and receiving of signals on different frequencies on the same antenna, either alone or simultaneously and without interfering with one another.'" The Examiner requests that the Applicant point out where and how he can make the bald assertion that the Hylton reference transmits using time-division multiplexing (TDMA). The Examiner contends that the Hylton reference does not use TDMA for transmitting, but only as a possibility for reception. The channel selection circuits, as discussed in column 3, lines 27-45 depend on the channelization utilized on the particular type of network. Indeed, one of the types of network that the channel selection circuits can receive from is a TDMA network and the channel selectors will comprise appropriate time division channel demultiplexers for receiving the TDMA signals. The Examiner wants to make it very clear, however, that the bald assertion that the Hylton reference transmits signals throughout the premises using TDMA is untrue. Nowhere does Hylton disclose transmitting using TDMA. In fact, Hylton teaches transmitting using spread spectrum

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(frequency hopping on different frequency bands) modulation [col. 3, lines 24-25 & col. 6, lines 35-57] and code-division multiple access (CDMA) techniques. These techniques for transmission read clearly on the “multicoupler to permit transmitting and receiving of signals on different frequencies on the same antenna, either alone or simultaneously and without interfering with one another”. It is even extremely clear in Figure 1 that only one bi-directional antenna 27 is used. Also, Hylton clearly points out that the use of spread spectrum for the on premises distribution presents the advantage of multiple spread spectrum systems operating independently of each other within the same band. Thus multiple independently tuned television sets may operate without interference within the same premise and in adjoining premises [col. 7, lines 50-65]. Therefore, the new claim amendments in claims 1 and 7 are clearly still rejected (as can be seen below with the new claim limitations).

The argument relating to claim 13 on page 12 states, “the information transmitted from each display apparatus are distinguished from one another by including an indication of the apparatus from which the information originates.” The Examiner contends that the Hylton reference does perform this exact limitation. In fact, the Hylton reference teaches sending a request from the DET 102 to the shared processing system 10 via antenna 27 and transceiver 21. After the transceiver 21 receives the request, it provides the request to the controller 19 for processing. The controller will recognize the message (request) as relating to a channel selection by the **particular one of the set-top terminals 100** [col. 8, lines 35-67]. In other words, the controller can recognize the particular set-top terminal because the set-top terminal identifies itself

when making a request to the shared processing system 10. Therefore, in view of the above, the presented arguments fail to be persuasive, and the previous rejection of claim 13 still stands (as can be seen below with the new claim limitation).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Hylton et al (USP 5,708,961), cited by examiner.

To serve as a brief overview, the Hylton reference discloses a system for providing wireless on-premises video distribution over a RF frequency in the home. The system consists of a Shared Processing System 10 (containing multiple Channel Selection Interfaces 11, multiple Program Selection Interfaces 13, a modulator 17, and a bi-directional antenna 27) and multiple user stations (each of which comprises an STB 100, a TV 103, a bi-directional antenna 29, and a remote control 85). The Shared Processing System serves to receive programming from a digital broadband network 5 and distribute it over an in-house wireless RF modulated frequency to the user stations.

Regarding claim 1, the claimed "television reception system" is met as follows:

- The claimed "channel selection apparatus for receiving broadcasting signals, selecting a broadcasting program from within the broadcasting

signals in accordance with an instruction of a user and transmitting a signal of the selected broadcasting program by radio, said channel selection apparatus being connected to a communication circuit" is met by the Shared Processing System 10 [Fig. 1], which serves to receive instructions from a user via remote control interface 85, TIM 101, and antennas 29 and 27 over a wireless RF connection [col. 8, lines 35-45]. The user instruction then serves to issue a command to the controller to control the channel selector 11 and program selector 13 to select a program from the digital broadband network 5 [col. 8, lines 60-65]. The modulator then serves to modulate the selected program into a transport stream for wireless broadcast via antenna 27 to the antenna 29 of the user terminal 100 [col. 9, lines 6-10].

- The claimed "wherein the channel selection apparatus includes a multicoupler to permit transmitting and receiving of signals on different frequencies on the same antenna, either alone or simultaneously and without interfering with one another" is met by Hylton wherein he teaches transmitting using spread spectrum (frequency hopping on different frequency bands) modulation [col. 3, lines 24-25 & col. 6, lines 35-57] and code-division multiple access (CDMA) techniques. It is even extremely clear in Figure 1 that only one bi-directional antenna 27 is used. Also, Hylton clearly points out that the use of spread spectrum for the on premises distribution presents the advantage of multiple spread spectrum

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systems operating independently of each other within the same band.

Thus multiple independently tuned television sets may operate without interference within the same premise and in adjoining premises [col. 7, lines 50-65]

- The claimed “display apparatus for receiving the radio signal from said channel selection apparatus and displaying an image based on an image signal of the received signal on a display element thereof” is met by the antenna 29, which receives the broadcast channel and supplies the signal to the TIM 101, which demodulates the signal and supplies the transport stream to the DET 102. The DET 102 then decodes the program and produces the signal on a TV 103 [col. 9, lines 8-28].

Regarding claim 2, the claimed “television reception system according to claim 1, wherein said channel selection apparatus includes reception means for receiving a signal transmitted thereto through the communication circuit, and means for transmitting the signal received by said reception means by radio, and said display apparatus receives the radio signal from said channel selection apparatus, forms a displaying signal from the received signal and displays an image based on the displaying signal on said display element” is met by the antenna 27 of the shared processing system 10, for receiving user channel selection over the RF link and sending program selection video over the same RF link to the user antenna 29 for display at the TV 103 [col. 8, line 35 – col. 9, line 28].

Regarding claim 3, the claimed "television reception system according to claim 1, wherein said channel selection apparatus transmits a signal of compressed data by radio, and said display apparatus includes decompression means for decompressing the data of the received signal from said channel selection apparatus" is met by the decoder of the DET 102, which can process the compressed information for the selected program from the transport stream output by the TIM 101 [col. 9, lines 21-25].

Regarding claim 4, the claimed "television reception system according to claim 1, wherein said display apparatus includes instruction input acceptance means for accepting an operation instruction input of the user, and instruction information transmission means for transmitting by radio at least instruction information to be transmitted to said channel selection apparatus from within instruction information of the operation instruction input accepted by said instruction input acceptance means, and said channel selection apparatus includes control means for receiving the instruction information transmitted by radio from said display apparatus and controlling, when the received instruction information is for said channel selection apparatus itself, so as to perform processing based on the instruction information" is met by the DET 102, which serves to receive the program selection from the remote control 85 and supply the channel request to the TIM 101 for wireless transmission via antenna 29 [col. 8, lines 35-40]. Antenna 27 at the Shared Processing System 10, then serves to receive the channel request from antenna 27 and issue a command to the controller 19 to control the channel and program selections interfaces (11 and 13, respectively) [col. 8, lines 60-66].

Regarding claim 5, the claimed "television reception system according to claim 1, wherein said display apparatus includes transmission instruction input acceptance means for accepting a transmission instruction input from the user, and transmission information transmitting means for transmitting information corresponding to information indicated by the transmission instruction input accepted by said transmission instruction input acceptance means as transmission information by radio, and said channel selection apparatus includes transmission information reception means for receiving the transmission information transmitted thereto by radio from said display apparatus, and transmission information signaling means for signaling the transmission information received by said transmission information reception means through the communication circuit" is met by the DET 102, which serves to receive the program selection from the remote control 85 and supply the channel request to the TIM 101 for wireless transmission via antenna 29 [col. 8, lines 35-40]. Antenna 27 at the Shared Processing System 10, then serves to receive the channel request from antenna 27 and issue a command to the controller 19 to control the channel and program selections interfaces (11 and 13, respectively) [col. 8, lines 60-66].

Regarding claim 6, the claimed "television reception system according to claim 1, wherein said channel selection apparatus can select a plurality of broadcasting signals simultaneously and transmit signals of a plurality of broadcasting programs selected by a user in a separable state from each other by radio, and said display apparatus receives the signals transmitted by radio from said channel selection apparatus and displays an image based on an image signal of one of the signals on said display

element” is met by the fact that the shared processing system 10, can modulate multiple signals onto the in-home wireless RF link for reception by different user terminals 100.

The plurality of broadcasting signals can be received by the plurality of channel selection circuits 11 in the shared processing system 10 [col. 5, lines 58-60 & col. 6, lines 2-4].

Regarding claim 7, the claimed “channel selection apparatus for receiving broadcasting signals, selecting a broadcasting program from within the broadcasting signals in accordance with an instruction of a user and transmitting a signal of the selected broadcasting program by radio; said channel selection apparatus being connected to a communication circuit” is met by the shared processing system 10 [Fig. 1], which serves to select broadcast program from the digital broadband network 5 in accordance with user selections sent via remote control 85 and DET 102 over wireless RF link via antennas 29 and 27. The Shared Processing System 10 then modulates the selected signals onto the RF frequency band and transmits them to the user terminals 100 via antenna 27 [col. 8, line 35 – col. 9, line 28]. The claimed “wherein the channel selection apparatus includes a multicoupler to permit transmitting and receiving of signals on different frequencies on the same antenna, either alone or simultaneously and without interfering with one another” is met by Hylton wherein he teaches transmitting using spread spectrum (frequency hopping on different frequency bands) modulation [col. 3, lines 24-25 & col. 6, lines 35-57] and code-division multiple access (CDMA) techniques. It is even extremely clear in Figure 1 that only one bi-directional antenna 27 is used. Also, Hylton clearly points out that the use of spread spectrum for

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the on premises distribution presents the advantage of multiple spread spectrum systems operating independently of each other within the same band. Thus multiple independently tuned television sets may operate without interference within the same premise and in adjoining premises [col. 7, lines 50-65]

Regarding claim 8, the claimed "channel selection apparatus according to claim 7, comprising: reception means for receiving a signal transmitted thereto through the communication circuit; and means for transmitting the signal received by said reception means by radio" is met by the antenna 27 for receiving a user selection transmitted by antenna 27 through RF link [col. 8, lines 40-42] and the antenna 27 that transmits the signal from the shared processing system 10 to the user terminals via RF link [col. 9, lines 6-11].

Regarding claim 9, the claimed "channel selection apparatus according to claim 7, wherein the signal to be transmitted by radio is in the form of compressed data" is met by the decoder of the DET 102, which can process the compressed information for the selected program from the transport stream output by the TIM 101 [col. 9, lines 21-25].

Regarding claim 10, the claimed "channel selection apparatus according to claim 7, further comprising control means for receiving instruction information transmitted by radio from a display apparatus and controlling, when the received instruction information is for said channel selection apparatus, so as to perform processing based on the instruction information" is met by Antenna 27 at the Shared Processing System 10, which serves to receive the channel request from antenna 27 and issue a command to

the controller 19 to control the channel and program selections interfaces (11 and 13, respectively) [col. 8, lines 60-66].

Regarding claim 11, the claimed "channel selection apparatus according to claim 7, further comprising transmission information reception means for receiving transmission information transmitted thereto by radio from a display apparatus, and signaling means for signaling the transmission information received by said transmission information reception means through the communication circuit" is met by the antenna 27, which receives the transmission from antenna 29 regarding the user channel selection and signal data transceiver 21 and controller 19, which serve to act upon the received signal for selection of a channel [col. 8, lines 40-45].

Regarding claim 12, the claimed "channel selection apparatus according to claim 7, wherein said channel selection apparatus can select a plurality of broadcasting signals simultaneously and transmit signals of a plurality of broadcasting programs selected by a user in a separable state from each other by radio" is met by the fact that the shared processing system 10, can modulate multiple signals onto the in-home wireless RF link for reception by different user terminals 100. The plurality of broadcasting signals can be received by the plurality of channel selection circuits 11 in the shared processing system 10 [col. 5, lines 58-60 & col. 6, lines 2-4].

Regarding claim 13, the claimed "display apparatus for receiving a radio signal from a channel selection apparatus connected to a communication circuit and displaying an image based on an image signal of the received signal on a display element" is met by the antenna 29, which receives the broadcast channel and supplies the signal to the

TIM 101, which demodulates the signal and supplies the transport stream to the DET 102. The DET 102 then decodes the program and produces the signal on a TV 103 [col. 9, lines 8-28]. The claimed “wherein the display apparatus is arranged to transmit information to the channel selection apparatus that includes indicia associated with said display apparatus” is met by the Hylton reference wherein it teaches sending a request from the DET 102 to the shared processing system 10 via antenna 27 and transceiver 21. After the transceiver 21 receives the request, it provides the request to the controller 19 for processing. The controller will recognize the message (request) as relating to a channel selection by the particular one of the set-top terminals 100 [col. 8, lines 35-67]. In other words, the controller can recognize the particular set-top terminal because the set-top terminal identifies itself when making a request to the shared processing system 10.

Regarding claim 14, the claimed “display apparatus according to claim 13, wherein said display apparatus receives the radio signal from said channel selection apparatus obtained through the communication circuit, forms a displaying signal from the received signal and displays an image based on the displaying signal on said display element” is met by the reception of the signal over RF link via antenna 29. After the antenna 29 receives the signal, the TIM 101 processes the signal and sends it to the DET 102 for further processing and display to TV 103 [col. 9, lines 9-28].

Regarding claim 15, the claimed “display apparatus according to claim 13, comprising means for receiving a signal of compressed data transmitted by radio from said channel selection apparatus and decompressing the received signal” is met by the

decoder of the DET 102, which can process the compressed information for the selected program from the transport stream output by the TIM 101 [col. 9, lines 21-25].

Regarding claim 16, the claimed "display apparatus according to claim 13, further comprising: instruction input acceptance means for accepting an operation instruction input of the user; and instruction information transmission means for transmitting by radio at least instruction information to be transmitted to said channel selection apparatus from within instruction information of the operation instruction input accepted by said instruction input acceptance means" is met by the DET 102, which serves to receive the program selection from the remote control 85 and supply the channel request to the TIM 101 for wireless transmission via antenna 29 [col. 8, lines 35-40]. Antenna 27 at the Shared Processing System 10, then serves to receive the channel request from antenna 27 and issue a command to the controller 19 to control the channel and program selections interfaces (11 and 13, respectively) [col. 8, lines 60-66].

Regarding claim 17, the claimed "display apparatus according to claim 13, further comprising: transmission instruction input acceptance means for accepting a transmission instruction input from the user; and transmission information transmitting means for transmitting information corresponding to information indicated by the transmission instruction input accepted by said transmission instruction input acceptance means as transmission information by radio" is met by the DET 102, which serves to receive the program selection from the remote control 85 and supply the channel request to the TIM 101 for wireless transmission via antenna 29 [col. 8, lines 35-40]. Antenna 27 at the Shared Processing System 10, then serves to receive the

channel request from antenna 27 and issue a command to the controller 19 to control the channel and program selections interfaces (11 and 13, respectively) [col. 8, lines 60-66].

Regarding claim 18, the claimed "display apparatus according to claim 13, wherein said display apparatus receives a plurality of signals transmitted by radio from said channel selection apparatus and displays an image based on an image signal of one of the signals on said display element" is met by the fact that the shared processing system 10, can modulate multiple signals onto the in-home wireless RF link for reception by different user terminals 100. The plurality of broadcasting signals can be received by the plurality of channel selection circuits 11 in the shared processing system 10 [col. 5, lines 58-60 & col. 6, lines 2-4].

Regarding claim 19, see the above rejection to similar claim 1.

Regarding claim 20, the claimed "television reception system of claim 19, wherein the channel selection apparatus further comprises a transmission processing section coupled to the multicoupler to demodulate the selected broadcast programs into broadcast signals of different frequency bands from one another prior to transmitting to the display apparatus" is met by the channel selection 11 and program selection 13 sections, which demultiplex and demodulate the received and requested programs and multiplex them together for transmission via antenna 27 [Figure 1 & col. 5, line 58 – col. 6, line 4].

Regarding claim 21, the claimed "television reception system of claim 20, wherein each display apparatus is responsive to a respective frequency band" is met by

the fact that the set-top terminals can use the relevant frequency spectrum to receive programming from the shared processing system 10 [col. 7, lines 35-40]. Also, the receivers distinguish transmission from different modulators by demodulating signals using the same code as used by the respective modulators [col. 6, lines 41-44].

Regarding claim 22, see the above rejection to similar claim 13.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael R. Shannon who can be reached at (571) 272-

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7356 or Michael.Shannon@uspto.gov. The examiner can normally be reached by phone Monday through Friday 8:00 AM – 5:00PM, with alternate Friday's off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller, can be reached at (571) 272-7353.

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Michael R Shannon
Examiner
Art Unit 2614

Michael R Shannon
November 3, 2005



JOHN MILLER
SUPERVISORY PATENT EXAMINER
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